

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1-7. (Canceled)

8. (Currently Amended) A ~~radio data transmission method~~ of transmitting data in a wireless communication system, the method comprising:

receiving information corresponding to a data amount of ~~[[a]]~~ each buffer of a plurality of logical channels and a characteristic of data to be transmitted from each of a plurality of logical channels, wherein the characteristic of data indicates whether or not the data is a re-transmission data; and

selecting data to transmit from one of the plurality of ~~logic~~ logical channels based ~~at least on the data characteristic of each of the plurality of logical channels~~ received information, wherein the selecting the data comprises:

determining which ones of the plurality of ~~logic~~ logical channels include the re-transmission data in a buffer corresponding to ~~[[the]]~~ a specific ~~logic~~ logical channel; ~~wherein the re-transmission data includes data previously sent from the corresponding logic channel with a data loss~~; and

~~selecting one of the logical channels based on an amount of the re-transmission data and based on whether re-transmission data exist in the corresponding buffer~~

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~~of a logical channel rather than by a priority of each of the plurality of logical channels that are determined to include the re-transmission data in their corresponding buffer~~

after the determining which ones of the logical channels include the re-transmission data,

when each buffer of the plurality of logical channels does not have the re-transmission data, selecting one of the plurality of logical channels based on priorities of each of the logical channels,

when one or more buffers of the plurality of logical channels have the re-transmission data, selecting one of the plurality of logical channels among the plurality of logical channels having the re-transmission data, wherein the selected logical channel has a highest priority among the plurality of logical channels having the re-transmission data; and sending the data to a transport channel.

9. (Currently Amended) The method of claim 8, wherein determining which ones of the plurality of ~~logic~~ logical channels includes re-transmission data in the corresponding buffer is based on one of a True indication and a False indication.

10-12. (Canceled)

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13. (Currently Amended) The method of claim ~~[[11]]~~8, wherein ~~sending the information comprises sending the information from each of the plurality of logical channels are sent to the transport channel, and the information comprises~~ a MAC\_STATUS\_RESP Primitive.

14. (Currently Amended) The method of claim 13, wherein the MAC\_STATUS\_RESP Primitive includes information regarding ~~[[the]]~~ existence of re-transmission data in a buffer corresponding to the ~~logic~~logical channel.

15. (Currently Amended) The method of claim 13, wherein the MAC\_STATUS\_RESP Primitive includes information representing ~~[[the]]~~an amount of the re-transmission data in a buffer corresponding to the ~~logic~~logical channel.

16-27. (Canceled)

28. (New) An apparatus of transmitting data in a wireless communication system, the apparatus comprising:

a radio protocol entity adapted to:

receive information corresponding to a data amount of each buffer of a plurality of logical channels and a characteristic of data to be transmitted from each of the plurality of logical channels, wherein the characteristic of data indicates whether or not the data is a retransmission data,

select data to transmit from one of the plurality of logical channels based on the received information,

wherein to select the data comprises:

determining which ones of the plurality of logical channels include the retransmission data in a buffer corresponding to a specific logical channel;

after determining which ones of the logical channels include the retransmission data,

selecting one of the plurality of logical channels based on priorities of each of the logical channels when each buffer of the plurality of logical channels does not have the retransmission data,

selecting one of the plurality of logical channels among the plurality of logical channels having the retransmission data when one or more buffers of the plurality of logical channels have the retransmission data, wherein the selected logical channel has a highest priority among the plurality of logical channels having the retransmission data; and

send the data to a transport channel.

29. (New) The apparatus of claim 28, wherein determining which ones of the plurality of logical channels includes re-transmission data in the corresponding buffer is based on one of a True indication and a False indication.

30. (New) The apparatus of claim 28, wherein the information from each of the plurality of logical channels are sent to the transport channel, and the information comprises a MAC\_STATUS-RESP Primitive.

31. (New) The apparatus of claim 30, wherein the MAC\_STATUS\_RESP Primitive includes information regarding existence of re-transmission data in a buffer corresponding to the logical channel.

32. (New) The apparatus of claim 30, wherein the MAC\_STATUS\_RESP Primitive includes information representing an amount of the re-transmission data in a buffer corresponding to the logical channel.

33. (New) The apparatus of claim 28, wherein the radio protocol entity is a Medium Access Control (MAC) layer.